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House Bill _____
By _____

Senate No. SB1675
By Gilbert

AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 6; Title 16, Chapter 3; Title 4, Chapter 41; and Title 4, Chapter 29, relative to the Tennessee Victims Organization Fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-602, is amended by adding an appropriately designated new subsection as follows:

(___) In addition to any other tax levied by this chapter, there is levied an additional privilege tax on litigation of two dollars (\$2.00) on all criminal warrants issued in Tennessee courts. The privilege tax levied under this subsection (___) shall not apply to any of the proceedings described in Section 67-4-604(b). Notwithstanding the apportionment provisions of Section 67-4-606, all revenue derived from such additional tax shall be deposited into the Tennessee victims organization fund authorized and created under Section 16-3-808.

SECTION 2. Tennessee Code Annotated, Title 16, Chapter 3, is amended by adding a new section as follows:

Section 16-3-808.

(a) The state treasurer is authorized and directed to establish within the general fund a fund known as the "Tennessee Victims Organization Fund".

(b) The source of funding for this fund shall be the revenue derived from the litigation tax levied pursuant to subsection (___) of Section 67-4-602. Such revenue shall be collected in accordance with the provisions of Section 67-4-603 and shall be paid to the state department of revenue as provided by law and shall be invested for the benefit of the fund pursuant to Section 9-4-603. Moneys in the fund shall be managed on a revolving no-quarter basis and shall not revert to the general fund of the state, but shall remain available and are appropriated exclusively for providing services to Tennessee victims in accordance with the requirements of this Act.

SECTION 3. Tennessee Code Annotated, Title 4, Chapter 41, is amended by adding the following as a new Part 2:

Section 4-41-201(a). The funds generated by the tax increases established in Section 1 of this Act shall be made available to fund the organizational and operating costs of the Victims Rights Coalition established by Tennessee Code Annotated, Title 4, Chapter 41, Part 1.

The coalition's use of such funds shall be governed by a service contract to be entered into by the department of finance and administration and the coalition. Such contract shall be developed by the department of finance and administration after consultation with the state treasurer and the executive director of the District Attorneys General Conference. The contract shall also provide that the funds may only be used by the coalition for the purpose of aiding the victims of crime through education, advocacy, counseling, and provision of services to crime victims in the state.

Section 4-41-202. Prior to the entry of such contract, the coalition shall submit its organizational documents and action plan to the department of finance and administration for approval.

The coalition shall receive in quarterly installments the appropriate funds that are collected under this Act.

Section 4-41-203. On or before April 1 of each year, the coalition shall submit the following documentation for the next fiscal year to the department of finance and administration for approval:

- (1) Budget;
- (2) Action plan;
- (3) Financial statement of income and expenses; and
- (4) Summary of work accomplished in the preceding funding period.

Section 4-41-204. If the coalition submits appropriate documentation and financial reports and proof of satisfactory progress towards the accomplishment of its action plan, the coalition shall continue to receive for funds under this act for the upcoming fiscal year.

Section 4-41-205. If finance and administration fails to approve the coalition's funding for any fiscal year, the proceeds and interest accumulated in the fund for that fiscal year shall be distributed to the District Attorneys General Conference for distribution by the conference to any one (1) or more organization(s) which conduct a program aimed at assisting victims of crime or preventing crime in the state. The conference shall award the grants under service contracts between it and the receiving entity on similar terms to that required in the service contract between the department of finance and administration and the coalition.

SECTION 4. Tennessee Code Annotated, Section 4-29-217(a), is amended by adding the following subdivision:

(__) Tennessee victims coalition, created by § 4-41-101.

SECTION 5. This act shall take effect July 1, 1995, the public welfare requiring it.

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